

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**NED COMER, et al.**

**PLAINTIFFS**

**v.**

**Civil No.: 1:11-CV-220-LG-RHW**

**MURPHY OIL USA, INC., et al.**

**DEFENDANTS**

**MOTION TO DISMISS  
FOR LACK OF PERSONAL JURISDICTION  
PURSUANT TO RULE 12(b)(2)**

Pursuant to Federal Rule of Civil Procedure 12(b)(2), Non-Resident Defendants AEP Generating Company, AEP Texas Central Company, AEP Texas North Company, the AES Corp., Alabama Power Company, Ameren Energy Generating Company, Ameren Illinois Company (incorrectly sued as Illinois Power Company and Central Illinois Light Company), Appalachian Power Company, Carolina Power & Light Company, Columbus Southern Power Company, Dominion Energy, Inc., Edison Mission Energy, Edison Mission Energy Petroleum, Edison Mission Energy Services, Inc., Florida Power & Light Company, Florida Power Corporation, Georgia Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kentucky Utilities Company, LG&E Energy, Inc., NextEra Energy, Inc., Northern States Power Company (Minnesota), Northern States Power Company (Wisconsin), Ohio Power Company, Public Service Company of Colorado, Public Service Company of Oklahoma, Southern California Edison Company, Southwestern Electric Power Company, Southwestern Public Service Company, Western Kentucky Energy Corporation, Union Electric Company, Virginia Electric and Power Company, and Xcel Energy Inc. (the “Non-Resident Defendants”) respectfully move the Court to dismiss with prejudice the Amended Complaint as against them for lack of personal jurisdiction. Plaintiffs’ Amended Complaint fails to allege facts sufficient to

support the exercise of general or specific jurisdiction over the Non-Resident Defendants.

Further, the exercise of personal jurisdiction over the Non-Resident Defendants would offend due process.

Dated: October 14, 2011

Respectfully submitted,

s/ John G. Corlew, with permission

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of October, 2011, I electronically filed the foregoing with the Clerk of the Court via the Court's CM/ECF system, which caused a true and correct copy to be electronically served on all counsel of record.

Dated: October 14, 2011

/s/ Ben H. Stone

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